

In re) Fair Hearing No. 20,741
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Appeal of)

The petitioner appeals the decision by the Department for Children and Families denying her application for food stamps. The issue is whether the petitioner is over income for food stamps.

1. The petitioner lives with her minor child and applied for food stamps as a household of two.

2. The petitioner is employed through the St. Albans school district and earns \$11.70 per hour. Petitioner is paid over the course of the school year.¹ Petitioner also receives child support in the amount of \$150 per week or \$645 per month.

3. The Department denied petitioner's application for food stamps on November 13, 2006. The Department calculated petitioner's monthly income as \$1,368.90 gross earned income (wages) and \$645 unearned income (child support) for a total

¹ Petitioner can reapply for food stamps for the summer months.

of \$2,013.90. Petitioner's monthly income exceeded the maximum gross income of \$1,430 for a household of two.

4. Petitioner requested a fair hearing on February 7, 2007 and a fair hearing was held on March 23, 2007. Petitioner does not dispute the income figures.

ORDER

The Department's decision is affirmed.

REASONS

To meet the eligibility standards for the food stamp program, an applicant must have income that meets both the net and gross income standards. Food Stamp Manual § 273.9(a). Petitioner's monthly household income of \$2,013.90 is in excess of the gross monthly income limit of \$1,430 for a household of two. Procedures 2590-C. Accordingly, the Department's finding that the petitioner is ineligible for food stamps based on her gross income is affirmed. 3 V.S.A § 3091(d); Fair Hearing Rule No. 17.

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